

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SON P. DANG

Plaintiff,

v.

J.P. MORGAN MORTGAGE ACQUISITION
CORP., RESIDENTIAL CREDIT
SOLUTIONS, INC., QUALITY LOAN
SERVICE CORPORATION, MORTGAGE
ELECTRONIC SYSTEMS, INC., DOES 1-10

Defendants.

Case No. C-13-04626-RMW

**ORDER GRANTING LEAVE TO
AMEND FIRST AMENDED
COMPLAINT AND DENYING
MOTIONS TO DISMISS AS MOOT**

[Re Docket Nos. 31, 33, 36, 43]

Plaintiff filed a First Amended Complaint (FAC) on December 27, 2013. Dkt. No. 28. Defendants moved to dismiss on December 4, 2014. Dkt. Nos. 31 and 36. Plaintiff then filed an Opposition to the Motion to Dismiss and a Motion for Leave to Amend First Amended Complaint on February 18, 2014. Dkt. Nos. 42 and 43. Plaintiff did not attach a proposed amended complaint to his motion for leave to amend.

The court held a hearing on these motions on March 21, 2014. At the hearing, plaintiff submitted a "Memorandum of Point and Authorities in Support of Plaintiffs Motion for Leave to Amend First Amended Complaint." In this Memorandum plaintiff states he will challenge the foreclosure of his property, bringing the following additional six causes of action to be incorporated

1 in the original complaint filed in this case: (1) negligence, (2) quasi- contract, (3) violation of the
2 Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692 et seq., (4) violation of
3 California's unfair competition law ("UCL"), Cal. Bus. & Prof. Code § 17200, (5) accounting, and
4 (6) a request for declaratory relief.

5 Plaintiff may file a Second Amended Complaint (SAC) by April 4, 2014. Accompanying the
6 SAC, plaintiff shall also submit a brief explaining his basis for federal jurisdiction. Defendants have
7 until April 14, 2014 to respond if they believe that a supplement to their existing points and
8 authorities is needed. Accordingly, defendants' motion to dismiss the FAC is moot. Plaintiff's
9 motion for default judgment, Dkt. No. 33, is also moot. As this is plaintiff's final opportunity to
10 amend his complaint the court suggests plaintiff contact the Federal Legal Assistance Self-Help
11 Center at (408) 297-1480 for assistance. A flyer with additional information about the self-help
12 center is attached.

13
14
15 Dated: March 21st, 2014



Ronald M. Whyte
United States District Judge

Federal Legal Assistance Self-Help

280 South 1st Street,
2nd Floor, Room 2070
San Jose, CA 95113
Phone: (408) 297-1480

Office Hours: Mon.-Wed., 9:30am – 4 pm

Are you already representing yourself, responding to a civil case or considering filing a non-prisoner civil case in the United States District Court for the Northern District of California, **San Jose division**?

Do you need legal advice? If so, you may speak with a lawyer at the Federal Legal Assistance Self-Help (FLASH) Center. There is no fee for this service.

The FLASH lawyer provides limited assistance, as follows
:

- Information to help you understand the federal court process and procedures you need to follow;
- Help determine where your case should be filed;
- Explain court orders, motions and other paperwork;
- Answer procedural questions; and
- Refer you to legal, social, and government services.

Limited help is provided by appointment, and walk-ins, when available. To make an appointment, either sign up at the Center, located on the 2nd floor of the federal courthouse, or call (408) 297-1480, Monday through Wednesday.

If you do not speak English or have difficulty with English, please bring someone to your appointment who can translate for you. We cannot provide a translator.

If you seek help from FLASH, **you will still represent yourself**. The FLASH lawyer provides limited legal advice and cannot be your lawyer. **FLASH can help only with non-prisoner civil cases – we cannot answer bankruptcy, habeas, prisoner, immigration, 9th Circuit appeals, state court, or criminal questions.**

If your civil case is handled by the San Francisco or Oakland federal courts, or it is a prisoner civil rights case, call the SF Help Desk at (415) 782-8982.